

### ***REMARKS***

Claims 1-17, 19 and 20 are pending.

Claims 1-17, 19 and 20 stand rejected.

Claims 1, 2 and 7 are amended herein.

No new subject matter has been added.

### ***Request for Continued Examination***

This amendment is accompanied by a Request for Continued Examination.

### ***Claim Rejections – 35 USC § 103***

Claims 1-17, 19 and 20 stand rejected under 35 USC 103(a) according to U.S. Pat. No. 6,608,297 to Neukermans (“Neukermans”) in view U.S. Pat. No. 6,000,867 to Yoshi (“Yoshi”).

Independent claim 1 has been amended for grammatical purposes and to delete the feature directed to concurrently scanning two sides of the document, that was added during the March 6, 2007 Amendment. Currently amended claim 1 recites, in part, a handheld Multi-Function Peripheral (MFP) comprising:

- a single housing;
- a scanning channel for the to-be-scanned document; and
- an operation panel at the housing for a user to input a data and a scanning order;

wherein the scanning channel and the operation panel respectively lie in substantially parallel planes and substantially overlap one another in a direction substantially perpendicular to the substantially parallel planes.

Neukermans discloses a digital personal organizer 252 including a scanner 100 (see FIG. 5). The Examiner acknowledges at page 3 of the June 21, 2007 Office Action that Neukermans fails to teach that the scanning channel and the operation panel respectively lie in substantially parallel planes and substantially overlap one another in a direction substantially perpendicular to the substantially parallel planes. Instead the Examiner cites Yoshi as teaching the scanning channel and operation panel recited by claim 1.

Yoshi discloses a portable scanner/fax machine 1 that connects to a personal computer 82 (see col. 1 lines 5-10, col. 9 lines 16-28, and FIG. 13 reference 82). As indicated and described with respect to FIG. 13, the data input-output interface is provided by the personal computer 82. The Examiner references the control part 3 (FIG.1) of Yoshi to teach the operation panel of claim 1. This reference is in error, as the control part 3 does not disclose

an operation panel at the housing for a user to input a data and a scanning order, as recited by claim 1. Rather the control part 3 is essentially a circuit board that includes a microprocessor for executing various functions (col. 4 lines 48-50 and col. 8 lines 55-64). Because Yoshi teaches that a personal computer 82 is used to provide user input and output, there is no need for an operation panel to be included with the scanner/fax machine 1. Since Yoshi does not disclose an operation panel for a user to input a data, it also fails to teach or disclose that a scanning channel and an operation panel respectively lie in substantially parallel planes and substantially overlap as recited by claim 1.

Claim 17 includes features generally similar to the features described above with reference to claim 1. Moreover, claim 17 further recites a scanning apparatus that is capable of scanning concurrently two sides of the to-be-scanned documents. The Examiner acknowledges at page 9 of the June 21, 2007 Office Action that Neukermans fails to teach the apparatus of claim 17 wherein the scanning apparatus is capable of scanning concurrently two sides of the to-be-scanned documents. Instead the Examiner cites Yoshi as teaching the scanning apparatus recited by claim 17.

The Yoshi reference discloses a dual side scanner 62, in which both sides of a document are scanned sequentially (see col. 7 lines 66 to col. 8 line 2) by passing the document through the scanner twice. A sequential scanning of a front and reverse side of the document is different than a concurrently scanning of the two sides of the document. For example, sequentially scanning both sides of the document could take twice as long as compared to concurrently scanning.

For the above reasons, Neukermans and Yoshi, both alone and in combination fail to teach each and every feature of independent claims 1 and 17. Dependent claims 2-17, 19 and 20 are allowable as depending on either claim 1 or claim 17, as well as the further novel features which are recited therein. Therefore, withdrawal of the rejection of claims 1-17, 19 and 20 is respectfully requested.

#### ***Claim Amendments***

Claims 2 and 7 are amended without prejudice for grammatical purposes. The claim amendments are not being made to overcome the cited references, and Applicant neither intends nor believes that these amendments operate to narrow the scope of the claims.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. Applicant has elected to argue the allowability of independent claims 1 and 17 thereby obviating grounds for rejection of the dependent claims.

***Conclusion***

For the foregoing reasons, reconsideration and allowance of claims 1-17, 19 and 20 of the application as amended is requested. The applicant encourages the examiner to telephone the undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

**Customer No. 73552**

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

A handwritten signature in black ink, reading "Bryan Kirkpatrick". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Bryan D. Kirkpatrick  
Reg. No. 53,135

STOLOWITZ FORD COWGER LLP  
621 SW Morrison Street, Suite 600  
Portland, Oregon 97205